

UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

HAN TAK LEE,
Petitioner

v.

FRANKLIN J. TENNIS,
Superintendent, et al.,
Respondents

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No. 4:CV-08-1972

(Judge Nealon)

ORDER

AND NOW, THIS 5TH DAY OF JANUARY, 2016, for the reasons set forth in the Memorandum of this date, **IT IS HEREBY ORDERED THAT** the Report and Recommendation, (Doc. 119), is **ADOPTED IN PART** and **REJECTED IN PART** as follows:

1. The recommendation that Petitioner's motion to enforce the judgment on remand be denied as to the unconditional granting of the writ and releasing Petitioner from bond, (Doc. 119), is **REJECTED**.
2. Petitioner's objections to the recommendation that Petitioner's motion to enforce the judgment on remand be denied as to the unconditional granting of the writ and releasing Petitioner from bond, (Docs. 120, 121), are **SUSTAINED**.
3. Petitioner's motion to enforce the judgment on remand, as to the unconditional granting of the writ and releasing Petitioner from bond, (Doc. 115), is **GRANTED**.
4. The recommendation that Petitioner's request, in his motion to enforce judgment on remand, to bar the Commonwealth from any future prosecution of any charges related to the 1989 fire,

resulting in the death of his daughter be denied, (Doc. 119), is **ADOPTED**.

5. Petitioner's objections to the recommendation that Petitioner's request, in his motion to enforce judgment on remand, to bar the Commonwealth from any future prosecution of any charges related to the 1989 fire, resulting in the death of his daughter be denied, (Docs. 120, 121), are **OVERRULED**.
6. Petitioner's request, in his motion to enforce judgment on remand, to bar the Commonwealth from any future prosecution of any charges related to the 1989 fire, resulting in the death of his daughter, (Doc. 115), is **DENIED**.
7. The petition for writ of habeas corpus, (Doc. 1), is **UNCONDITIONALLY GRANTED**.
8. Magistrate Judge Carlson's August 22, 2014 Order setting Petitioner's conditions of release, (Doc. 101), and Petitioner's unsecured appearance bond in the amount of \$50,000, (Doc. 103), is **VACATED** and Petitioner is **RELEASED** from all obligations and restrictions of bond imposed by this Court.

/s/William J. Nealon
United States District Judge